

United States District Court
District of Massachusetts

Boyd

v

ca: 05-10873-RWZ

Austin, et al

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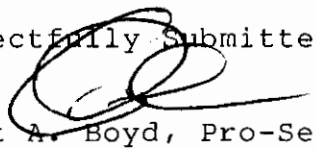
Motion for Default Judgement and failure to deny

Plaintiff comes before the court to move for a default judgement against the Plymouth County Defendants for failing to answer complaint within the enlarged time sought by said Defendants, which expired on June 27, 2005.

The Defendants at P.C.S.D are beyond 80 days from service and over 6 months from when the Assistant Deputy Superintendent was notified of the violations that were occurring and was asked for relief, no answer was received for that grievance, which was filed on or about January 18, 2005. The Defendants have had ample time to respond to the allegations.

Plaintiff moves for the court to rule P.C.S.D Defendants' failure to answer the complaint as a failure to deny under Fed.R.Civ.P Rule 8(d) and issue a default judgement under Fed.R.Civ.P Rule 55, against the Plymouth County Defendants.

Respectfully Submitted,



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6/29/05

I Certify that on 6/29/05 I served the within motion upon all parties as follows via 1st Class Mail:

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Signed under the pain and penalties of perjury  Grant A Boyd, Pro-Se

6/29/05